

**Open Forum
from the
CM/ECF Best Practices Forum
held on
November 14, 2008 in Lincoln**

The open forum session allowed participants to share their questions and needs to better understand the courts Local Rules, General Orders, and Administrative Procedures. During the two hours, inquiries regarding the Local Rules and recent General Orders were highlighted. In addition, how to locate certain information on the Court's website and a couple of handouts addressing corrective entries and information regarding credit card payments were distributed.

Diane, Eva and Lisa introduced the staff to those present.

Laura Coyle then went through showing attendee's where to locate information on the Court's website. Some of the main points included the Sitemap, Internet credit card payments, Case Info, Contacts, CM/ECF, Employment, Financial, Pro Se information and resources. No questions from participants came up at this time.

Kourtney Brandl then discussed corrective entries. A handout was given of common errors made and also how to correct them. Some questions came up including the following:

Q-How do you enter a joint stipulation?

A-Choose only the party you represent, not the other attorney.

Q-What do you link an amended chapter 13 plan to?

A-Link it to the last plan that was filed.

Q-If the document supports multiple documents do you link it to all of them?

A-There are only a few circumstances where multiple linkage is required.

Q-Where do you file a Motion to Quash since the event does not appear under Bankruptcy and does not pertain to an adversary case?

A-If the event is normally filed under Adversary, but it's not an adversary document, just file under Bankruptcy and make sure you have the correct case number.

Q-What do you do if you have a non registered attorney needing to file?

A-You can file a proof of claim by paper or disk or online as a limited register use. They cannot be accepted by e-mail.

Eva and Diane then covered Local Rules. Some questions that came up included:

Q-What if you need a text order to say more than it does?

A-Contact the courtroom department and ask for permission to submit specific language.

Q-On a Certificate of Service, who is served the order?

A-A lien holder will not be served an order, only those that are set up to receive electronic notices will receive copies of an order. The responsibility of service falls to the movant.

Q-Can you object to documents containing personal identifiers?

A-Yes, please bring it to the Judge's attention. You can also file a Motion to Strike.

Q-What if a personal identifier is found on a proof of claim?

A-Contact the filing party and ask them to redact.

Q-Is it true that there is a Federal statute that makes it illegal to show SSN on any documents?

A-Yes, attorneys have been sanctioned in the past.

Q-What's the status on the Final Report Form?

A-This report is being made uniform throughout the Country. It doesn't require much additional work and should only affect Trustees.

Q-There is a conflict between the Chapter 13 Trustee and Clerk's Office, RE: claim number. Why is there a conflict and what number should be used?

A-Use the claim number issued by the Clerk's Office. The Clerk's Office will consult with the Trustee's office to resolve this issue.

Q-How would you file a Motion to Allow Claims and an Objection to a Proof of Claim?

A-These must be entered as two different motions.

Judge Saladino then brought up the subject of filing Evidence. If an attorney is contesting a matter, make sure evidence is provided to the Court. Some fact of law is needed.

Q-Can affidavits of attorneys be used for this purpose?

A-No, someone with foundation should be used.

Judge Saladino also talked about phone etiquette:

- Make sure you are at the number you gave the Court and that the Court has the correct number where you can be reached.

- Let the courtroom deputy know if you are going to be at a different number.

- Let the courtroom deputy know also who is going to be on the phone, if the senior attorney is not going to be on the call.